

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 601 - SB 704**

February 21, 2019

**SUMMARY OF BILL:** Deletes provision from statute that states nothing included in the *Tennessee Unfair Trade Practices and Unfair Claims Settlement Act of 2009 (the Act)* affects any remedy, cause of action, right to relief, or sanction available under common law for a person or entity licensed to do insurance business for an alleged unfair or deceptive act in connection with a contract of insurance.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Pursuant to Tenn. Code Ann. § 56-8-113(3), nothing in *the Act* may affect any statutory remedy, cause of action, right to relief, or sanction referenced in Title 50 or Title 56 for a person or entity licensed to do insurance business for an alleged unfair or deceptive act in connection with a contract of insurance.
- The proposed legislation will not have a significant impact to state or local government.

**IMPACT TO COMMERCE:**

**Other Commerce Impact – The net impact to commerce and jobs in Tennessee is estimated to be not significant.**

Assumptions:

- The proposed legislation would limit the remedies, reliefs, and sanctions available to a person or entity for an alleged unfair or deceptive act in connection with an insurance contract from common law to those in Titles 50 and 56.
- The proposed legislation would eliminate common law remedies available to consumers who may have been victim to an unfair or deceptive act in connection with a contract of insurance.
- Any remedies, reliefs, or sanctions unavailable to consumers under common law, outside of Titles 50 and 56, in the case of a proven unfair or deceptive act would be offset by the equivalent retention of such remedies by insurance companies.

**HB 601 - SB 704**

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first name "Krista" and last name "Carsner" being more prominent than the middle name "Lee".

Krista Lee Carsner, Executive Director

/agr